

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PHILIP WONG, et al.,
Plaintiffs,

v.

HSBC MORTGAGE CORPORATION (USA),
et al.,
Defendants

No. C-07-2446 MMC


**ORDER DENYING DEFENDANTS'
MOTION FOR SANCTIONS; VACATING
HEARING**

Before the Court is defendants' "Motion for Rule 11(c) Sanctions," filed September 5, 2008. Plaintiffs have filed opposition, to which defendants have replied. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter suitable for decision on the parties' respective submissions, VACATES the hearing scheduled for November 7, 2008, and, for the reasons stated by plaintiffs, (see Pls.' Opp. at 2:6-8, 4:7-13), finds the motion is procedurally improper.

Accordingly, the motion is hereby DENIED.¹

IT IS SO ORDERED.

Dated: October 15, 2008


MAXINE M. CHESNEY
United States District Judge

¹To the extent defendants' motion presents issues that bear on plaintiffs' motion for class certification, the Court will consider such issues in the context of plaintiffs' motion. Indeed, both parties, in their respective papers filed in connection with plaintiffs' motion for class certification, have incorporated by reference arguments made in support of or in opposition to defendants' motion for sanctions. (See, e.g., Defs.' Opp. to Pls.' Mot. for Class Certification at 17:11-13; 23:7-12; Pls.' Reply to Pls.' Opp. to Pls.' Mot. for Class Certification at 14:25-28.)